

rules and regulations

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Title 3—The President

CHAPTER V—EXECUTIVE OFFICE OF THE PRESIDENT

PART 101—PUBLIC INFORMATION PROVISIONS OF THE ADMINISTRATIVE PROCEDURES ACT

Freedom of Information Regulations

Correction

In FR Doc. 75-4777 appearing at page 7346 in the issue of Wednesday, February 19, 1975, the paragraphs appearing on page 7346 immediately under the heading "Executive Office of the President" are codified to read as follows:

- Sec.
101.1 Executive Office of the President.
101.2 Office of Management and Budget.
101.3 Council on Wage and Price Stability.
101.4 National Security Council.

§ 101.1 Executive Office of the President.

Until further regulations are promulgated, the remainder of the entities within the Executive Office of the President, to the extent that 5 U.S.C. 552 is applicable, shall follow the procedures set forth in the regulations applicable to the Office of Management and Budget (5 CFR Ch. III). Requests for information from these other entities should be submitted directly to such entity.

§ 101.2 Office of Management and Budget.

Freedom of Information regulations for the Office of Management and Budget appear at 5 CFR Ch. III.

§ 101.3 Council on Wage and Price Stability.

Freedom of Information regulations for the Council on Wage and Price Stability appear at 6 CFR Ch. VII.

§ 101.4 National Security Council.

Freedom of Information regulations for the National Security Council appear at 32 CFR Ch. XXI.

Title 5—Administrative Personnel

CHAPTER I—CIVIL SERVICE COMMISSION

PART 213—EXCEPTED SERVICE

Department of Commerce

Section 213.3314 is amended to show that one additional position of Special Assistant to the Assistant Secretary for Economic Affairs is excepted under Schedule C.

Effective on February 25, 1975, § 213.3314(a) (11) is amended as set out below.

§ 213.3314 Department of Commerce.

- (a) Office of the Secretary. . . .
(11) Two Special Assistants to the Assistant Secretary for Economic Affairs.
(5 U.S.C. secs. 3301, 3302, E.O. 10577, 3 CFR 1954-58 Comp. p. 218)

UNITED STATES CIVIL SERVICE COMMISSION.

[SEAL] JAMES C. SPRY,
Executive Assistant to
the Commissioners.

[FR Doc. 75-5007 Filed 2-24-75; 8:45 am]

PART 213—EXCEPTED SERVICE

Department of the Treasury

Section 213.3305 is amended to show that one position of Special Assistant to the Assistant Secretary (Enforcement, Operations, and Tariff Affairs) is excepted under Schedule C.

Effective on February 25, 1975, § 213.3305(a) (61) is added as set out below.

§ 213.3305 Department of the Treasury.

- (a) Office of the Secretary. . . .
* * * * *
(61) One Special Assistant to the Assistant Secretary (Enforcement, Operations, and Trade Affairs).
(5 U.S.C. secs. 3301, 3302; E.O. 10577, 3 CFR 1954-58 Comp. p. 218)

UNITED STATES CIVIL SERVICE COMMISSION.

[SEAL] JAMES C. SPRY,
Executive Assistant to
the Commissioners.

[FR Doc. 75-5008 Filed 2-24-75; 8:45 am]

PART 213—EXCEPTED SERVICE

National Foundation on the Arts and the Humanities

Section 213.3182(a) is amended to show that authority in § 213.3182(a) (1) is revoked and that one position of Director of Performing Arts and Public Media Programs for the Arts is excepted until June 30, 1976, under Schedule A.

Effective February 25, 1975, § 213.3182(a) (1) is revoked and § 213.3182(a) (29) is added as set out below.

§ 213.3182 National Foundation on the Arts and the Humanities.

- (a) National Endowment for the Arts.
(1) [Reserved].
* * * * *

(29) Until June 30, 1976, one Director of Performing Arts and Public Media Programs.

(5 U.S.C. secs. 3301, 3302; E.O. 10577, 3 CFR 1954-58 Comp. p. 218)

UNITED STATES CIVIL SERVICE COMMISSION.

[SEAL] JAMES C. SPRY,
Executive Assistant to
the Commissioners.

[FR Doc. 75-5011 Filed 2-24-75; 8:45 am]

PART 294—AVAILABILITY OF OFFICIAL INFORMATION

Freedom of Information Regulations

Subpart A, General Provisions of Part 294 is being revised in its entirety to conform with several important amendments to 5 U.S.C. 552, Pub. L. 93-502, the Freedom of Information Act.

The revised Subpart A is set out below:

Subpart A—General Provisions

- Sec.
294.101 Purpose.
294.102 Definitions.
294.103 General policy.
294.104 Information available—Indexes of certain records.
294.105 Places where information may be obtained.
294.106 Procedures for obtaining information.
294.107 Service charges for information.
294.108 Appeal of a denial of information.
294.109 Custody of information; subpoenas.
294.110 Deceased employees.

AUTHORITY: 5 U.S.C. 552, Freedom of Information Act, Pub. L. 92-502.

Subpart A—General Provisions

§ 294.101 Purpose.

The purpose of this part is to set forth the basic policies of the Commission in regard to the availability or disclosure of information in the possession of or controlled by the Commission.

§ 294.102 Definitions.

In this part:

(a) "Information" means books, papers, manuals, records, photographs, and other documentary materials, regardless of physical forms or characteristics, made in or received by or under the control of the Commission in pursuance of law or in connection with the discharge of official business;

(b) "Information available to the public" means information, including reasonably segregable nonexempt portions of information that may lawfully be withheld, which, on request may be examined and copied, or of which copies

may be obtained in accordance with this part by the public regardless of interest and without specific justification; and

(c) "Disclose or disclosure" means making information available, on request, for examination and copying, or furnishing a copy of the information.

§ 294.103 General policy.

(a) When the Commission receives requests for information under section 552 of Title 5, United States Code, it will provide or disclose the requested information promptly, subject only to the following conditions:

(1) The request reasonably describes the information sought.

(2) The request is filed according to the procedures specified in § 294.106 below.

(3) Any applicable fees for records search, copying, printed matter, or computer services have been paid or waived as specified in § 294.107 below.

(4) The requested material is not subject to one of the exemptions in section 552(b) of Title 5, United States Code.

(b) If the requested information is subject to one of the exemptions, the Commission may disclose it or may not, depending on the nature of the information. However, the Commission will not ordinarily disclose the following exempt materials:

(1) Material specifically authorized by an Executive Order to be kept secret in the interest of national defense or foreign policy and properly classified pursuant to criteria in such an Executive Order;

(2) Material related solely to the internal personnel rules and practices of the Commission;

(3) Material specifically exempted from disclosure by statute;

(4) Commercial or financial information obtained from a person and privileged or confidential;

(5) Interagency or intra-agency memoranda or letters which would not be available by law to a party in litigation with the Commission;

(6) Personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy (except that such files will be disclosed to the individuals to whom they pertain as specified in § 294.703 of this part); or

(7) Investigation records (except that such records will be disclosed to the individuals to whom they pertain under the conditions specified in § 294.601 of this part).

(c) If part of the requested information is exempt from disclosure and part is not, the Commission will disclose reasonably segregable portions of the material after deleting exempt portions.

§ 294.104 Information available—indexes of certain records.

(a) Indexes of materials published and offered for sale or available for public inspection and copying shall be maintained and revised at least quarterly.

(b) A copy of this index is available at cost from:

Office of Public Affairs, U.S. Civil Service Commission, 1900 E Street NW., Washington, D.C. 20415.

Indexing of these materials is for the convenience of the public and does not constitute a determination that all of the materials listed are within the category of those required to be indexed by 5 U.S.C. 552(a) (2).

§ 294.105 Places where information may be obtained.

(a) A request for information which the requester believes located in the Com-

Bureau or office:

Director, Bureau of Policies and Standards.

Director, Bureau of Recruiting and Examining.

Director, Bureau of Executive Manpower.

Director, Bureau of Personnel Investigations.

Director, Bureau of Training.

Director, Bureau of Retirement, Insurance and Occupational Health.

Director, Bureau of Manpower Information Systems.

Director, Bureau of Personnel Management Evaluation.

Director, Bureau of Intergovernmental Personnel Programs.

Director, Federal Employees Appeals Authority.

Director, Office of Federal Equal Employment Opportunity.

Director, Office of Labor Management Relations.

Subject matter

Personnel management policies, pay policies, position classification standards, qualification standards, personnel management research, development of examinations.

Civil service examinations, procedures for referring individuals to agencies for selection, selection and placement in civil service positions.

Executive staffing, recruiting, apportionment of executive positions, approval of qualifications and planning for executive manpower needs.

Background investigations of Federal employees and applicants for Federal employment.

Job related training, training information and training available to Government employees.

Civil Service retirement system, group life insurance, and health benefits programs for Federal employees and development of Government-wide occupational health programs.

Government-wide statistical personnel information, personnel reports and forms.

Evaluation of personnel management in agencies and employee position classification appeals.

Grants to State and local governments, intergovernmental assignments, and other improvements to State and local government personnel systems.

Basic appeals: adverse action, reduction in force, termination of employment during the probationary period under specified circumstances, and suitability for Federal employment.

Selection and advancement within the Federal service without regard to race, religion, color, national origin, sex, or age.

Technical information and policy guidance concerning management and employee unions in the Federal service.

(c) A request for information located in a regional office, area office, or post of duty of the Commission should be addressed to the Director, U.S. Civil Service Commission Regional Office, at the appropriate address indicated in the following list:

1340 Spring Street NW., Atlanta, Georgia 30309.

John W. McCormack Post Office and Courthouse; Boston, Massachusetts 02109.

Federal Office Building, 29th Floor, 230 South Dearborn Street, Chicago, Illinois 60604.

1100 Commerce Street, Dallas, Texas 75202.

Denver Federal Center, Building 20, Denver, Colorado 80225.

New Federal Building, 26 Federal Plaza, New York, New York 10007.

William J. Green, Jr., Federal Building, 600 Arch Street, Philadelphia, Pennsylvania 19106.

1256 Federal Building, 1520 Market Street, St. Louis, Missouri 63103.

Federal Building, Box 36010, 450 Golden Gate Avenue, San Francisco, California 94102.

Federal Office Building, 26th Floor, 915 Second Avenue, Seattle, Washington 98174.

(d) If a request for information is made to a Commission office that does

mission headquarters in Washington, D.C., should be addressed to the director of the bureau or the chief of the office indicated in the list in paragraph (b) of this section. The address for all such requests is:

U.S. Civil Service Commission, 1900 E Street NW., Washington, D.C. 20415.

(b) The following lists the bureaus and offices of the Commission in Washington, D.C., and their principal areas of responsibility:

not have possession of the information, that office will forward the request to the appropriate office and will notify the requester that it has done so. However, for purposes of application of the time limits in section 552 of Title 5, United States Code, the request will not be considered to be received until it arrives in the office having possession of the requested information.

(e) Information, and the office to be contacted for such information, published and offered for sale, or available to the public for examining and copying, for the convenience of the public or pursuant to section 552, Title 5, United States Code, subsection (a), paragraph (2) is found in the Commission's index required by that paragraph.

(f) A request for information on a subject matter not specifically referred to in this paragraph or in the index, should be directed to:

Office of Public Affairs, U.S. Civil Service Commission, 1900 E Street NW., Washington, D.C. 20415.

§ 294.106 Procedures for obtaining information.

(a) A request for information under section 552 of Title 5, United States Code, may be made personally or in writing. Such requests may be made by letter as indicated above in § 294.105 or in person at an address indicated above during business hours on a regular business day.

(b) Each request for information under section 552 of Title 5, United States Code, should be clearly and prominently identified by means of a legend on the first page, such as "Freedom of Information Request." In addition, if sent by mail or otherwise submitted in an envelope or other cover, it should be clearly and prominently marked to show, "FOI" or "Freedom of Information" on the envelope, or some variation of this legend.

(c) A request under this part should reasonably describe the information being requested by a brief description containing a name, number, date as applicable, subject, title of publication or description, sufficient to enable the information to be identified and located. Requests for information contained in personnel records from persons other than the individual to whom the record pertains will be judged in accordance with § 294.103(b) (6).

(1) Requests for information from Official Personnel Folders and similar files must contain: name, date of birth, Social Security Account Number, agency where employed, and, if not presently employed, approximate dates of the most recent Federal employment. If presently employed, requests should be directed to the employing agency.

(2) Requests for information from investigatory files must contain: name, date and place of birth, and Social Security Account Number.

(3) Requests for information concerning the results of examinations should include name, date of birth, Social Security Account Number, identification number, and date, place, and time of examination.

(d) If a request is for materials that have been published and are offered for sale, e.g., by the Superintendent of Documents, the requester will be advised of the appropriate office in the Commission where the materials may be reviewed and the location where the materials may be purchased.

(e) The Commission shall make a determination to disclose or deny the requested information within ten working days after receipt of the request (excluding Saturdays, Sundays, and holidays) and shall notify the requester immediately of its determination and the fees involved, if any, prescribed by § 294.107.

§ 294.107 Service charges for information.

(a) Reasonable quantities of information that have been printed or otherwise reproduced by the Commission for the purpose of making it available to the

public without charge, shall be furnished to a member of the public free of charge.

(b) Information other than that described in paragraph (a) of this section may be subject to a fair and equitable fee when it is made available to the public. The fee shall be paid by check or money order made payable to the Treasurer of the United States.

(c) Schedule of Fees. When a request is made for information under section 552 of title 5, United States Code, the Commission will charge a fee for searching and duplicating such information. The fees charged shall be as follows:

Photocopies, per page	\$0.10
Printed material, per 25 pages or fraction thereof	.25
Manual records search, per hour	5.00
Automated records search:	
Programming, per hour	14.00
Keypunching, per hour	8.75
Computer time, per hour	65.00
Duplication, per hour	47.00

(d) Unless the request specifically states that whatever cost is involved will be acceptable, or acceptable up to a specified limit that covers anticipated costs, a request that can reasonably be expected to involve assessed fees in excess of \$5.00 will be deemed not received until the requester, after prompt notification of the anticipated cost of the request, agrees to bear it.

(e) When the anticipated fees exceed \$50.00, a deposit of 20 percent of the amount must be made within 30 days after the requester has been advised that the anticipated fees exceed this amount. The request will be deemed not received until the deposit is received.

(f) Charges will be assessed in cases of unproductive or unsuccessful searches unless waived by the appropriate Commission official. Services performed that are not required under the Freedom of Information Act such as formal certification of records as true copies may be subject to charges under the Federal User Charge Statute (31 U.S.C. 483a) or other applicable statutes depending upon the services performed.

§ 294.108 Appeal of a denial of information.

(a) In the event of a difference concerning the availability or disclosure of information between a member of the public and an employee of the Commission or an employee of another agency with custody of information controlled by the Commission and authority to deny disclosure of such information, the requester may ask for reconsideration of the denial. The request shall be addressed to the Assistant Executive Director, U.S. Civil Service Commission, 1900 E Street NW., Washington, D.C. 20415, within ten working days after the requester receives notification of the denial. The Assistant Executive Director shall notify the requester of the decision within 20 working days (excluding Saturdays, Sundays, and holidays) after receipt of the request for reconsideration. The request to the Assistant Executive Director is the only administrative appeal within the Commission. The de-

cision on appeal exhausts the administrative remedies within the Commission. If the Assistant Executive Director upholds in whole or in part the denial of the request for records, the written notice shall inform the person making the request of the provisions for judicial review of that determination.

§ 294.109 Custody of information; subpoenas.

(a) The Executive Assistant to the Commissioners has official custody of the official records of the Commission. A subpoena or other judicial order for an official record from the Commission should be served on the:

Executive Assistant to the Commissioners,
1900 E Street NW., Washington, D.C. 20415.

(b) If a subpoena or other judicial order for an official record is served on an employee of the Commission other than the Executive Assistant to the Commissioners, the employee shall immediately inform the General Counsel of the Commission who shall advise the employee accordingly.

(c) (1) If a subpoena or other judicial order for information contained in an Official Personnel Folder in the physical custody of a Government agency other than the Commission is served on a Government employee responsible for the Folder, he shall disclose such information as is allowed under this part. However, he should retain custody of the information and, as necessary, request permission of counsel or the court to furnish a certified copy for inclusion in the court record.

(2) In an unusual situation or a situation in which information not available under this part is sought, the Government employee who received the subpoena shall immediately forward it and the Official Personnel Folder containing the information sought to the:

General Counsel, U.S. Civil Service Commission,
Washington, D.C. 20415.

When this is done, the Government employee shall inform the person who applied for the subpoena that the subpoena and the information sought have been sent to the Commission pursuant to this subparagraph and, if necessary, request a postponement of the scheduled appearance.

§ 294.110 Deceased employees.

A right under this part to the disclosure of, and to control the disclosure of, information personal to an employee, former employee, annuitant, or applicant passes after his death to the executor or administrator of his estate, or in the absence of an executor or administrator, to his next of kin.

Public comment is invited on the above provisions and will be considered by the Commission if received no later than March 21, 1975. Comments should be submitted in writing to the Assistant Executive Director, U.S. Civil Service Commission, 1900 E Street NW., Washington, D.C. 20415. Notwithstanding the foregoing, these provisions become effective

tive February 19, 1975 and shall remain in effect until and unless revised by the Commission.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to
the Commissioners.

[FR Doc. 75-5006 Filed 2-24-75; 8:45 am]

Title 7—Agriculture

CHAPTER IX—AGRICULTURAL MARKETING SERVICE (MARKETING AGREEMENTS AND ORDERS, FRUITS, VEGETABLES, NUTS), DEPARTMENT OF AGRICULTURE

PART 926—TOKAY GRAPES GROWN IN SAN JOAQUIN COUNTY, CALIFORNIA

Increase in Expenses for the 1974-75 Season

This document authorizes an increase of \$9,928 in the Industry Committee expenses during the 1974-75 season (April 1, 1974, through March 31, 1975) under Marketing Order No. 926. Said increase changes the seasonal committee budget from \$139,183 to \$149,111 with no change in the related rate of assessment on handlers of Tokay grapes.

On January 29, 1975, notice of proposed rulemaking was published in the FEDERAL REGISTER (40 FR 4315) regarding proposed amendment of the committee expenses for the period April 1, 1974, through March 31, 1975, pursuant to the marketing agreement, as amended, and Order No. 926, as amended (7 CFR Part 926), regulating the handling of Tokay grapes grown in San Joaquin County, California. This is a regulatory program effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674). The notice allowed interested persons 20 days to submit written data, views, or arguments pertaining to the proposal. None were submitted. After consideration of all relevant matter presented, including the proposal set forth in said notice which was submitted by the Industry Committee (established pursuant to said amended marketing agreement and order) it is hereby ordered That the provisions of paragraph (a) of § 926.214 (39 FR 33306) be amended to read as follows:

§ 926.214 Expenses, rate of assessment, and carryover of unexpended funds.

(a) *Expenses.* Expenses that are reasonable and likely to be incurred by the Industry Committee during the period April 1, 1974, through March 31, 1975, will amount to \$149,111.

It is hereby found that good cause exists for not postponing the effective time hereof until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) in that (1) the Industry Committee has incurred expenses in excess of those previously thought likely to be incurred, (2) it is essential that the determination of expenses, as specified therein, be issued immediately so that said committee can meet its obligations and perform its

duties and functions during the current fiscal period in accordance with the provisions of said marketing agreement and order, and (3) the increase in expenses, as set forth herein, will not result in an increase in the rate of assessment for handlers as heretofore fixed by the Secretary (39 FR 33306).

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: February 20, 1975.

CHARLES R. BRADER,
Deputy Director, Fruit and
Vegetable Division, Agricultural
Marketing Service.

[FR Doc. 75-4997 Filed 2-24-75; 8:45 am]

[Amdt. 1]

PART 980—VEGETABLES; IMPORT REGULATIONS

Onions; Minimum Quality Requirements

This regulation changes minimum quality requirements for imported onions.

Notice of rulemaking regarding a proposed amendment of § 980.113 Onion import regulation, was published in the January 16, 1975, FEDERAL REGISTER (40 FR 2819). This regulation is effective under section 8e of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 608e-1).

The notice afforded interested persons an opportunity to file written data, views or arguments in regard thereto not later than February 3, 1975. None was filed.

Under section 8e, whenever two or more marketing orders are concurrently in effect regulating the same agricultural commodity produced in different areas of the United States, the importation of such commodity shall be prohibited unless it complies with the grade, size, quality, and maturity provisions of the order which, as determined by the Secretary of Agriculture, regulates the commodity produced in the area with which the imported commodity is in most direct competition.

Onion import regulation § 980.113 (39 FR 26290), became effective July 18, 1974, and sets forth similar grade, size, quality and maturity requirements as those in effect for onions handled under Marketing Order No. 958, as amended (7 CFR Part 958) regulating the shipments of onions grown in designated counties in Idaho and Malheur County, Oregon.

Grade, size, quality, and maturity requirements become effective for the period March 10 through May 11, 1975 (39 FR 45208) under Marketing Order No. 959, as amended (7 CFR Part 959), regulating the handling of onions grown in South Texas. Imported onions will be in most direct competition with those regulated under Marketing Order 959 on or about March 17 and the changes are necessary to bring import regulations into line with domestic regulations covering South Texas onions.

Findings. (a) After consideration of all relevant matters, including the proposal set forth in the notice, and other available information, it is hereby found that

the proposal as published in the notice should be issued and that imported onions comply with the grade, size, quality and maturity requirements, as hereinafter provided, applicable to onions produced in the United States, and effective under Marketing Order No. 959, as amended (7 CFR Part 959) regulating the handling of onions grown in designated counties of South Texas. This regulation is subject to further amendment with adequate notice as domestic regulations are changed.

(b) It is hereby further found that good cause exists for not postponing the effective date of this regulation beyond the time specified (5 U.S.C. 553) in that (1) the requirements established by this regulation are mandatory under Section 8e of the act; (2) all known onion importers were notified of the proposed regulation; and (3) notice hereof was published in the January 16, 1975, FEDERAL REGISTER (40 FR 2819), and such notice is determined to be reasonable.

Regulation, as amended. Section 980.113 Onion import regulation (39 FR 26290), is hereby revised to read as follows:

§ 980.113 Onion import regulation.

Pursuant to Section 8e of the act (7 U.S.C. 608e-1) and except as otherwise provided herein, during the period beginning March 17, 1975, and continuing through May 11, 1975, the importation of onions is prohibited unless such onions are inspected and meet the requirements of this section.

(a) *Minimum grade and size requirements.* (1) *Grade.* Not to exceed 20 percent defects of U.S. No. 1 grade. In percentage grade lots, tolerances for serious damage shall not exceed 10 percent including not more than 2 percent decay. Double the lot tolerance shall be permitted in individual packages in percentage grade lots. Applications of tolerances in U.S. onion standards shall apply to in-grade lots.

(2) *Size.* White onions—1 inch minimum diameter; all other varieties of onions—1 1/4 inches minimum diameter.

(b) *Condition.* Due consideration shall be given to the time required for transportation and entry of onions into the United States. Onions with transit time from country of origin to entry into the United States of ten or more days may be entered if they meet an average tolerance for decay of not more than 5 percent, provided they meet the other requirements of this section.

(c) *Minimum quantity.* Any importation which in the aggregate does not exceed 100 pounds in any day, may be imported without regard to the provisions of this section.

(d) *Plant quarantine.* Provisions of this section shall not supersede the restrictions or prohibitions on onions under the Plant Quarantine Act of 1912.

(e) *Designation of governmental inspection service.* The Federal or the Federal-State Inspection Service, Fruit and Vegetable Division, Agricultural Marketing Service, United States Department of Agriculture, and the Fruit and Vegetable Division, Production and Mar-

keting Branch, Canada Department of Agriculture, are designated as governmental inspection services for certifying the grade, size, quality and maturity of onions that are imported into the United States under the provisions of section 8e of the act.

(f) Inspection and official inspection certificates. (1) An official inspection certificate certifying the onions meet the United States import requirements for onions under section 8e (7 U.S.C. 608e-1), issued by a designated governmental inspection service and applicable to a specific lot is required on all imports of onions.

(2) Inspection and certification by the Federal or Federal-State Inspection Service will be available and performed in accordance with the rules and regulations governing certification of fresh fruits, vegetables and other products (Part 51 of this title). Each lot shall be made available and accessible for inspection as provided therein. Cost of inspection and certification shall be borne by the applicant.

(3) Since inspectors may not be stationed in the immediate vicinity of some smaller ports of entry, importers of onions should make advance arrangements for inspection by ascertaining whether or not there is an inspector located at their particular port of entry. For all ports of entry where an inspection office is not located, each importer must give the specified advance notice to the applicable office listed below prior to the time the onions will be imported.

Ports	Office	Advance Notice
All Texas points...	L. M. Denbo, P.O. Box 107, San Juan, Tex. 78389 (Phone 512-787-4091 or 6881).	1 day.
All Arizona points.	B. O. Morgan, P.O. Box 1614, Nogales, Ariz. 85621 (Phone 602-287-2902).	Do.
All California points.	D. P. Thompson, 784 South Central Ave., Room 266, Los Angeles, Calif. 90021 (Phone 213-622-8756).	3 days.
All Hawaii points.	Stevenon Ching, P.O. Box 5425, Pawa Substation, 1428 South King St., Honolulu, Hawaii 96814 (Phone 808-941-3071).	1 day.
All Puerto Rico points.	Darrell McNeal, P.O. Box 10163, Santurce, P.R. 00908 (Phone 809-783-2230 or 4116).	2 days.
New York City...	Carmine J. Cavallo, Room 28A Hunts Point Market, Bronx, N.Y. 10474 (Phone 212-691-7669 or 7668).	1 day.
New Orleans...	Anthony Gennaro, 5027 Federal Office Bldg., 761 Loyola Ave., New Orleans, La. 70113 (Phone 504-527-6741 or 6742).	Do.
Miami...	Lloyd W. Doney, 1350 Northwest 12th Ave., Room 538, Miami, Fla. 33136 (Phone 305-324-6116 or 6117).	Do.
All other Florida points.	C. B. Brantley, P.O. Box 1232, Winter Haven, Fla. 33880 (Phone 813-294-3511, Extension 33 and 813-294-2089).	Do.
All other points...	D. S. Matheson, Fruit and Vegetable Division, AMS, Washington, D.C. 20250 (Phone 202-447-5870).	3 days.

(4) Inspection certificates shall cover only the quantity of onions that is being imported at a particular port of entry by a particular importer.

(5) Each inspection certificate issued with respect to any onions to be imported into the United States shall set forth, among other things:

(i) The date and place of inspection;

(ii) The name of the shipper or applicant;

(iii) The commodity inspected;

(iv) The quantity of the commodity covered by the certificate;

(v) The principal identifying marks on the containers;

(vi) The railroad car initials and number, the truck and trailer license number, the name of the vessel, or other identification of the shipment; and

(vii) The following statement, if the facts warrant: Meets import requirements of 7 U.S.C. 608e-1.

(g) Reconditioning prior to importation. Nothing contained in this part shall be deemed to preclude any importer from reconditioning prior to importation any shipment of onions for the purpose of making it eligible for importation.

(h) It is hereby determined that imports of onions, during the effective time of this section, are in most direct competition with onions grown in South Texas. The requirements set forth in this section are the same as those applicable to grade, size, quality and maturity being made effective for onions grown in South Texas.

(i) Definitions. For the purpose of this section, "Onions" means all (except red) varieties of Allium cepa marketed dry, except dehydrated, canned and frozen onions, onion sets, green onions, and pickling onions. Onions commonly referred to as "braided," that is, with tops, may be imported if they meet the grade and size requirements except for top length. The term "U.S. No. 1" shall have the same meaning as set forth in the United States Standards for Grades of Bermuda-Granex-Grano Type Onions (§§ 51.3195-51.3209 of this title), United States Standards for Grades of Creole Onions (§§ 51.3955-51.3970 of this title), or in the United States Standards for Grades of Onions Other Than Bermuda-Granex-Grano and Creole Types (§§ 51.2830-51.2854 of this title), whichever is applicable to the particular variety. Tolerances for size shall be those in the applicable United States Standards. The requirements of Canada No. 1 grade are deemed comparable to the requirements of U.S. No. 1 grade. "Importation" means release from custody of the United States Bureau of Customs.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674).

Dated: February 14, 1975 to become effective March 17, 1975.

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Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

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Title 12—Banks and Banking
CHAPTER V—FEDERAL HOME LOAN
BANK BOARD

SUBCHAPTER A—GENERAL

[No. 75-155]

PART 505—AVAILABILITY AND
CHARACTER OF RECORDS

Freedom of Information; Release of
Records and Information

Summary. The following summary of the amendments adopted by this Resolution is provided for the reader's convenience and is subject to the full explanation in the following preamble and to the specific provisions of the regulations.

1. *Present regulations.* Part 505 of the General Regulations contains regulations adopted in June, 1967, implementing the Freedom of Information Act ("FOIA"), 5 U.S.C. 552.

2. *Reason for changing the regulations.* Part 505 is being amended to implement recent amendments to 5 U.S.C. 552 contained in Pub. L. 93-502.

3. *Final regulations.* The principal changes in Part 505 are contained in § 505.4(f) which provides time limitations and procedures for handling requests for information and records under the FOIA, and in § 505.4(g) which provides time limitations and procedures for processing administrative appeals from the denial of such requests. The changes are described in the preamble.

Also described in the preamble is Board Resolution No. 75-15 which proposed the amendment of § 505.4(e) of the general regulations, revising the schedule of fees which may be charged under the FOIA.

As stated above, pursuant to Pub. L. 93-502 which amended 5 U.S.C. 552, and Board Resolution No. 75-15, dated January 15, 1975, the Board is amending certain portions of Part 505 of its general regulations (12 CFR Part 505).

Section 505.1 *Basis and scope* is not changed.

Certain editorial and technical changes have been made in §§ 505.2 *Definitions* and 505.3 *Published information*. A new paragraph (d) to § 505.3 has been added to describe the "Annotated Manual of Statutes and Regulations", and former paragraphs (d) and (e) of that section have been redesignated as (e) and (f), respectively.

Section 505.4 *Access to records*, contains the most significant changes occasioned by Pub. L. 93-502. Paragraph (a), (b), and (c) remain unchanged, except for the deletion of references to § 505.5 (see explanation below). The final three sentences of the former paragraph (d) of § 505.4 (which has been reentitled "Request for records and other information"), relating to fees under the FOIA, have been incorporated in amended form in a new paragraph (e).

As previously indicated, with respect to paragraph (e), the Board, by Resolution No. 75-15 dated January 7, 1975, proposed an amendment in its fee schedule. Notice of proposed rule making was